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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/737,592	12/18/2000	Brian Cruickshank	91436-309	1679

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EXAMINER
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ZEWDU, MELESS NMN

ART UNIT	PAPER NUMBER
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2683

DATE MAILED: 09/10/2003

4

Please find below and/or attached an Office communication concerning this application or proceeding.

## Office Action Summary

Application No.

09/737,592

Applicant(s)

CRUICKSHANK, BRIAN

Examiner

Meless N Zewdu

Art Unit

2683

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☐ Responsive to communication(s) filed on \_\_\_\_.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☐ Claim(s) 1-26 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) none is/are allowed.
- 6) ☐ Claim(s) 1-26 is/are rejected.
- 7) ☐ Claim(s) none is/are objected to.
- 8) ☐ Claim(s) none are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on 18 December 2000 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on \_\_\_\_ is: a) ☐ approved b) ☐ disapproved by the Examiner.  
If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

### Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  
a) ☐ All b) ☐ Some \* c) ☐ None of:  
1. ☐ Certified copies of the priority documents have been received.  
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_.  
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).  
\* See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).  
a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

### Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892) 4) ☐ Interview Summary (PTO-413) Paper No(s). \_\_\_\_
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948) 5) ☐ Notice of Informal Patent Application (PTO-152)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) \_\_\_\_ 6) ☐ Other: \_\_\_\_

### DETAILED ACTION

1. This action is the first on the merit of the instant application.
2. Claims 1-26 are pending in this action.

### ***Claim Rejections - 35 USC § 103***

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 1-9, 15-17 and 19-26 are rejected under 35 U.S.C. 103(a) as being unpatentable over Helferich (US 6,097,941) in view of Dodrill et al. (Dodrill) (US 6,490,564 B1).

**As per claim 1:** a method of providing voice messaging services comprising:

Communicating with voice messaging repository to receive a voice message at said handheld computing device reads on '941 (see abstract; col. 2, lines 23-47).

Locally storing said received voice message reads on '941 (see abstract; col. 3, line 67-col. 4, line 8).

Locally providing an interface to said user allowing said user to indicate an action to perform on said received voice message reads on '941 (see fig. 2, element 3; col. 7, lines 12-18, 23-44; col. 7, line 63-col. 8, line 30). But, Helferich does not explicitly teach

Art Unit: 2683

about providing voice messaging services at a handheld computing device , as claimed by applicant. However, in a related field of endeavor, Dodrill teaches that a user can receive media content information (such as text, graphics, video, and sound) using different types of devices (such as a fax machine, a pager, cellular telephone, and a handheld computing device) (see fig. 3, elements 18a-18f; col. 2, lines 1-10; col. 7, line 45-col. 8, line 18). Therefore, it would have been obvious for one of ordinary skill in the art at the time the invention was made to have a handheld computing device along with Helferich's paging apparatus for the advantage of providing the user of Helferich's paging device a unified communication system via devices of different capabilities as taught by Dodrill.

**As per claim 2:** the method further comprising:

Receiving an indication of said action to perform on said received voice message reads on '914 (col. 5, lines 1-46).

Responsive to receiving said indication, performing said action reads on '914 (see col. 5, lines 1-17).

**As per claim 3:** the method wherein said action is "play" and said performing said action further comprises:

Generating an audio signal from said received voice message reads on '941 (see col. 8, lines 34-50).

Outputting said audio signal to an audio output device associated with said handheld computing device reads on '941 (see 5, lines 1-17; col. 6, lines 45-56; col. 8, lines 36-50).

Art Unit: 2683

**As per claim 4:** the method wherein said action is “delete” and said performing said action further comprises further communicating with said voice messaging repository to indicate a deletion of said received voice message reads on ‘941 (see col. 7, line 45-col. 8, line 14; col. 9, lines 15-23).

**As per claim 5:** the method wherein said action is “forward” and said performing said action further comprises:

Receiving an indication of an intended recipient of said received voice message reads on ‘941 (see col. 5, lines 18-46).

Further communicating with said voice messaging repository to transfer information identifying said intended recipient reads on ‘941 (see col. 5, line 61-col. 6, line 4).

**As per claim 6:** the method wherein said information identifying said intended recipient is a telephone number reads on ‘941 (see col. 5, lines 18-25). The calling identifier (CI) of the prior art can be a telephone number.

**As per claim 7:** the method wherein said indication is is a name and said method further includes locally mapping said name to said telephone number reads on ‘941 (see col. 8, lines 35-60).

**As per claim 8:** the method further comprising:

Extracting, from said received voice message, information related to said received message reads on ‘941 (see col. 5, lines 18-46; col. 8, lines 36-60).

Using said interface to present said information related to said received voice message reads on ‘941 (see fig. 2, block 3; col. 5, lines 1-17; col. 8, lines 36-60).

Art Unit: 2683

**As per claim 9:** the method wherein said interface comprises a display of said information related to said received voice message reads on '941 (see col. 3, line 49- col. 4, line 8; col. 5, lines 1-17).

**As per claim 15:** the method wherein said voice messaging repository is a voice messaging server and wherein said communicating with said voice messaging server occurs over a public switched telephone network reads on '941 (see fig. 3, block 35; col. 4, lines 46-67; col. 6, lines 34-47).

**As per claim 16:** the method further comprising establishing a connection to said public switched telephone network reads on '941 (see fig. 3; col.2, lines 23-67; col. 3, lines 46-67).

**As per claim 17:** the method further comprising generating dual tone multi-frequency tones for said communicating with said voice messaging server reads on '941 (see 1, lines 38-46).

**As per claim 19:** the method further comprising, before said communicating with said voice messaging repository to receive said voice message, receiving an indication of arrival of a voice message from said voice messaging repository reads on '941 (see col.

**As per claim 20:** the method wherein said indication of arrival includes details associated with said received voice message reads on '941 (see col. 5, lines 47-60; col. 6, lines 14-33).

**As per claim 21:** the method wherein said communication with said voice messaging repository further comprises indicating to said voice messaging repository a status of

Art Unit: 2683

voice messages previously received at said handheld computing device reads on '941 (see 5, lines 47-60).

**As per claim 22:** the method wherein, for each of said previously received voice messages, said status is one of unplayed, deleted, sent and unsent reads on '941 (see col. 7, lines 45-63).

**As per claim 23:** the features of claim are similar to the features of claim 1 and hence, claim 23 is rejected on the same ground as claim 1.

**As per claim 24:** the features of claim 24 are similar to the features of claim 1, except one difference. The difference is that claim 1 is a method claim and claim 24 is a computer readable medium containing computer executable instruction. Which reads on '941 (see 4, lines 29-45). Hence, claim 24 is rejected on the same ground as claim 1.

**As claim 25:** a method of creating a voice message at a handheld computing device comprising:

Recording said voice message using audio recording capabilities of said handheld computing device reads on '941 (see col. 7, lines 12-44).

Receiving, through a local interface, an indication of an intended recipient of said voice message, reads on '941 (see col. 5, line 61-col. 6, line 4).

Communicating with a voice messaging repository to transfer said voice message in association with information identifying said intended recipient reads on '941 (see col. 5, line 61-col. 6, line 4; col. 2, lines 23-67).

Art Unit: 2683

**As per claim 26:** the features of claim 26, except one difference, are similar to the features of claim 1. Hence, similar features of claim 26 are rejected on the same ground as claim 1. The difference feature has been treated as shown below.

Transmitting, to said voice messaging repository, instructions to perform said action on said voice message reads '941 (see col. 5, line 1-col. 6, line 4, particularly col. lines 1-17). Scrolling in the prior art teaching is a function of reviewing messages.

Furthermore, in the prior art system, the paging transceiver100 (see figs. 2 and 3) and the remote device platform/network (fig. 3) are communicating bi-directionally to manage messages as shown in the text (see col. 2, line 23-col. 3, line 6).

### ***Claim Rejections - 35 USC § 103***

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 10-14 are rejected under 35 U.S.C. 103(a) as being unpatentable over Helferich as applied to claims 1 above and further in view of Luzeski et al. (Luzeski) (US 6,301,245 B1).

**As per claim 10:** but, Helferich in view of Dodrill do not explicitly teach about the method wherein said voice messaging repository is a desktop personal computer and said communicating with said voice messaging repository occurs over a wired



Art Unit: 2683

connection, as claimed by applicant. However, in a related field of endeavor, Luzeski teaches about a universal messaging system wherein subscribers can access messages from a personal computer via the internet using a standard Web browser with a Java script that presents each subscriber with a universal "inbox" that displays all of that subscriber's voice, fax and e-mail messages (see fig. 3, element 20; fig. 5; abstract; col. 3, line 43-col. 4, line 31; col. 5, line 66-col. 6, line 60). Therefore, it would have been obvious for one of ordinary skill in the art at the time the invention was made to add Luzeski's universal messaging system to the above references for the advantage of providing subscribers a universal messaging service that utilizes the internet as taught by Luzeski (see col. 3, lines 43-50).

**As per claim 11:** the method wherein said voice messaging repository is a voice messaging server and wherein said communicating with said voice messaging server occurs over a wired connection reads on '245 (see fig. 5; col. 3, lines 43-67).

**As per claim 12:** the method further comprising establishing a connection to said data network reads on '245 (see col. 3, lines 45-67).

**As per claim 13:** the method further comprising employing the internet protocol for said communicating with said voice messaging server reads on '245 (see abstract; col. 3, lines 43-67; col. 4, lines 1-25).

**As per claim 14:** the method further comprising employing the Hyper-Text Transfer protocol for said communicating with said voice messaging server reads on '245 (see col. 6, lines 42-60).

Claim 8 is rejected under 35 U.S.C. 103(a) as being unpatentable over Helferich in view of Dodrill, as applied to claim 1 above, and further in view of Boursier et al. (Boursier) (US 5,675,333).

**As per claim 18:** but, Helferich does not explicitly teach about a method comprising compressing said received voice message to reduce memory required for voice message storage, as claimed by applicant. However, in aa related field of endeavor, Boursier teaches about a DSP (digital signal processor) comprising a software for compressing voice/speech signals (see all document, particularly, fig. 1, block 7; abstract; col. 1, line 33-col. 2, line 32; col. 3, line 58-col. 4, line 62). Therefore, it would have bee obvious for one of ordinary skill in the art at the time the invention was made to modify the teaching of Helfrich with that of Boursier for the advantage of saving memory space (see abstract).

### ***Conclusion***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Meless N Zewdu whose telephone number is (703) 306-5418. The examiner can normally be reached on 8:30 am to 5:00 pm..

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, William Trost can be reached on (703) 308-5318. The fax phone number for the organization where this application or proceeding is assigned is (703) 872-9306.

Art Unit: 2683

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 306-0377.

Meless Zewdu

*M. Z.*

Examiner

25 August 2003.

*W. Trost*

WILLIAM TROST  
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